

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Claims 1-9, 13 and 14 were rejected under 35 U.S.C. 102(b) as being anticipated by Klein. Claims 3, 4 and 7 have been canceled.

Amended claim 1 recites, "wherein the N-phase groups are arranged in a number of coaxial groups having a common axis...and wherein the common axis of the coaxial layers is oriented along the length of the superconducting cable." Klein does not teach, or otherwise render foreseeable, N-phase groups arranged in a number of coaxial groups wherein the common axis of the coaxial layers is oriented along the length of the cable. The Office action cites Fig. 5 of Klein for teaching a superconducting cable having two 3-phase assemblies/groups. With respect to canceled claim 3, the Office action states that the 3-phase assemblies of Fig. 5 are coaxial, with the individual phase conductor of a particular phase in a separate coaxial layer. However, in Fig. 5, the common axis of the various layers is an axis that is oriented perpendicular to the length of the cable. There is no common axis for Klein's layers oriented along the length of the cable, as required by claim 1. For at least this reason, claim 1 is not anticipated by and is allowable over Klein. Claims 2, 5, 6, 8 and 13 depend from claim 1. The arguments provided above with respect to claim 1 also apply to claim 14.

Amended claim 9 recites, "providing the N phase groups or assemblies of N phase groups with a common electrically conductive screen, wherein the phases in each N phase group or assembly of N phase groups are isolated from each other by a common insulator comprising at

least one continuous foil.” The subject matter of claim 9 requires that the phases in each N phase group or assembly of N phase groups are isolated from each other by a common insulator comprising at least one continuous foil. Such a feature is not taught or otherwise rendered foreseeable by Klein. Klein teaches, e.g., that phase conductors are positioned in channels defined in insulating strips (see, e.g., 3:19-24). However, Klein does not disclose a cable, wherein the common insulator comprises at least one continuous foil. For at least this reason, claim 9 is not anticipated by and is allowable over Klein.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Klein. Claim 7 has been canceled.

Claims 9, 10 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Klein. Regarding claim 9, Klein does not teach or otherwise render foreseeable “providing the N phase groups or assemblies of N phase groups with a common electrically conductive screen, wherein the phases in each N phase group or assembly of N phase groups are isolated from each other by a common insulator comprising at least one continuous foil.” In view of the differences between the claimed subject matter and the teaching of Klein, applicant respectfully submits that claim 9 is allowable over Klein.

Claims 10 and 15 depend from claim 1, which is discussed above. In view of the differences between the subject matter of claim 1 and the teaching of Klein, applicant respectfully submits that claims 10 and 15 are allowable over Klein.

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Klein in view of Engelhardt. Claim 11 depends from claim 1, which is discussed above. The deficiencies of Klein are not corrected by Engelhardt. Therefore, applicant respectfully submits that claim 11 is allowable over Klein.

Claims 1-11 and 13-15 were rejected based on obviousness-type double patenting as being unpatentable over claims 1-15 of USPN 6,684,486. A terminal disclaimer is enclosed to overcome the double patenting rejection.

New claim 16 has been added by the present amendment. Claim 16 depends from claim 1, which is discussed above.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NKTR-34155US1.

Respectfully submitted,
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